IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY EIGHTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE C.Y. SOMAYAJULU

-

WRIT PETITION NO : 992 of 1996

Between:

1. Tadi Kondala Rao

..... PETITIONER

AND

1. The Mandal Revenue Officer, Kakinada (Rural) Mandal,

Kakinada, East Godavari District and another.

.....RESPONDENTS

Counsel for the Petitioner: MR. K.VENKATESH
Counsel for Respondent No.1: GOVERNMENT PLEADER FOR REVENUE
Counsel for Respondent No.2: GOVERNMENT PLEADER FOR FISHERIES

The Court made the following:

ORDER:

-

This writ petition is filed questioning the action of the first respondent in issuing a demand notice for recover the amount said to be due from the petitioner to the second respondent, by invoking the provisions of the Revenue Recovery Act.

2. The contention of the learned Counsel for the petitioner is that since petitioner was not served with any notice, issuance of the impugned notice directing the petitioner to deposit the amount mentioned therein is unsustainable.

3. From the documents produced by the petitioner, it is seen that the petitioner took time to produce documents with regard to the amount due from him to the second respondent-Assistant Director, Fisheries Department, Machilipatnam, Krishna District and that did not produce any documents.

4. When the petitioner who sought time for production of documents failed to produce the documents, it cannot be said that he has no notice of the proceedings for recovery of the amount due from him.

5. Therefore, I find no merits in the petition. Hence, the writ petition is dismissed. No costs.

_____

C.Y. SOMAYAJULU, J

28th July, 2005.

Ak